TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE _

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	PATENTING REJECTION OVER A PENDING SECOND APPLICATION G4114					
	In re Application of: GARRILL, et. al. Application No. 09/599,274 Filed: 06/22/2000 For: METHOD AND PACKAGE FOR STORING PRESSUR	JUL 1 6 2003 TECHNOLOGY CENTER R3700 SIZED CONTAINER CONTAINING A DRUG				
The owner, state on the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/311,819, filed on 12/19/2002. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.						
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.						
l	Check either box 1 or 2, if appropriate.					
	1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.					
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.						
	2. The undersigned is an attorney of record.					
١	3. Owner/applicant is ☐ Small entity ☒ Larg	ge entity				
١	The terminal disclaimer fee under 37 CFR 1.20(d) is and is to be paid as follows:					
	☐ A check in the amount of the fee is enclosed.					
	∀ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number					
	PTO suggested wording for terminal disclaimer was					
	unchanged. changed (if changed, an explanation should be supplied.) **Tolit July 7, 200 3					
	Signature	I certify that this document and fee is being deposited				
	Name and Address of Person Signing Robert J. Smith	on 7/1/03 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA				
	Registration No.: 40,820	22313-1450.				
	Telephone: 919-483-96160LEURT	Ran Yennan				
		Signature of Person Meiling Correspondence				
	PATENT TRADEMARK OFFICE	Ban Younan				
		Typed or Printed Name of Person Mailing Correspondence				

07/11/2003 SZEWDIE1 00000104 071392 09599274

P26/REV01

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket No. PG4114

In re Application of:	GARRILL, et. al.						
pplication No. 09/599,274							
Filed:	06/22/2000						
For: METHOD ANI	For: METHOD AND PACKAGE FOR STORING A PRESSURIZED CONTAINER CONTAINING A DRUG						
•							
The owner, SmithKline Beecham Corporation of 100.00 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent g granted on pending second Application Number 10/312,073 , filed on 12/19/2002 The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.							
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.							
Check either box 1 or 3	; if appropriate.						
1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.							
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.							
2. 🖾 The unde	2. ☑ The undersigned is an attorney of record.						
3. Owner/applica	. Owner/applicant is ☐ Small entity ☒ Large entity						
The terminal disclaimer fee under 37 CFR 1.20(d) is and is to be paid as follows:							
☐ A check in the amount of the fee is enclosed.							
The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number07-1392							
PTO suggested wording for terminal disclaimer was							
☑ unchanged. ☐ changed (if changed, an explanation should be supplied.)							
Thout I full Dated: July 7, 2003							
Signature							
I certify that this document and fee is being deposited on 11703 with the U.S. Postal Service as							
first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.							
Telephone: 919-483-96	Signature of Person Maining Correspondence						
	23347 PATENT TRADEMARK OFFICE Ran Youngan						

Typed or Printed Name of Person Mailing Correspondence

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket No.

In re Application of:	GARRILL, et. al	· (JUL 1 0	C 83	JUL 1 6 2003		
Application No.	09/599,274	AND TO	المر 2003	TECHNICA		
Filed:	06/22/2000	/· •	, OFFE			
For: METHOD AN	D PACKAGE FOR	STORISCOP	RESSURIZEI	D CONTAINER CONTAINING A DRUG		
•	· ·	* ,				
any patent granted or defined in 35 U.S.C. 1 granted on pending se The owner hereby ago	application hereby the instant application 173 econd Application Nees that any pater thany patent grante	ation, which w as shortened lumber at so granted c ed on the seco	cept as provide yould extend be by any terminal 09/971,799 on the instant ap ond application	ed below, the terminal part of the statutory term of the expiration date of the full statutory term of disclaimer filed prior to the grant of any patent of filed on 10/03/2001 application shall be enforceable only for and during are commonly owned. This agreement runs with		
application that would of any patent granted in the event that any s invalid by a court of	extend to the expi on the second app such granted paten competent jurisdict	ration date of tolication, as short: it: expires for the ion, is statuto examination of the ion.	the full statutory nortened by any failure to pay a prily disclaimed certificate. is rei	y term as defined in 35 U.S.C. 154 to 156 and 17 y terminal disclaimer filed prior to the patent gran a maintenance fee, is held unenforceable, is foun in whole or terminally disclaimed under 37 CF eissued, or in any manner terminated prior to the		
Check either box 1 or	2, if appropriate.					
1.	missions on behal etc.), the undersign	f of an orgar ed is empowe	nization (e.g., ered to act on be	corporation, partnership, university, governmenelshalf of the organization.		
information and belie	f are believed to b ts and the like so States Code and t	e true; and tu made are nun	inner that these ishable by fine	e statements were made with the knowledge the or imprisonment, or both, under Section 1001		
2. 🗵 The unde	ersigned is an attor	ney of record.				
3. Owner/applica	ant is 🔲 Sn	nall entity	∠ Large en	ntity		
The terminal discla	imer fee under 37 (CFR 1.20(d) is	\$110.	and is to be paid as follows:		
☐ A check in the	amount of the fee i	s enclosed.				
	hereby authorized ount Number	to charge any 07-1392	fees which ma	ay be required, or credit any overpayment,		
PTO suggested word	ing for terminal disc	claimer was		TECHNOLOGY CENTER R3700 Personation of 100.00 percent pt as provided below, the terminal part of the statutory term of any patent disclaimer filed prior to the grant of any patent g 09/971,799 filed on 10/03/2001 the instant application shall be enforceable only for and during d application are commonly owned. This agreement runs with ng upon grantee, its successors or assigns. Insclaim the terminal part of any patent granted on the instant end statutory term as defined in 35 U.S.C. 154 to 156 and 173 tened by any terminal disclaimer filed prior to the patent grant, illure to pay a maintenance fee, is held unenforceable, is found y disclaimed in whole or terminally disclaimed under 37 CFR tifficate, is reissued, or in any manner terminated prior to the erminal disclaimer filed prior to its grant. Teation (e.g., corporation, partnership, university, government and to act on behalf of the organization. The own knowledge are true and that all statements made on the that these statements were made with the knowledge that hable by fine or imprisonment, or both, under Section 1001 of statements may jeopardize the validity of the application or any large entity		
	nged. 🗆 char	nged (if change	ed, an explanati	tion should be supplied.)		
The	Get Juit,	<u>/</u>	Dated:	July 7,2003		
			 1	I certify that this document and fee is being deposite		
Name and Robert J. Smith	Address of Person Signii	<u></u>		Il first class mail under 37 C.F.R. 1.8 and is addressed to t		
Continues to the action, the second of the s						
Telephone: 919-483-9616						

@djustment date: 07/31/2000 FTD 70/07/1 /2003 SZEWDIE1 00000104 0 7 7 8 1814 110.00 EF

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P26/REV01

Signature of Person Mailing Correspondence

Ban Younan

Typed or Printed Name of Person Mailing Correspondence

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE Docket No. PATENTING REJECTION OVER A PENDING SECOND APPLICATION GARRILL, et. al. In re Application of: JUL 1 6 2003 09/599,274 Application No. JUL 1 0 2003 Filed: 06/22/2000 TECHNOLOGY CENTER R3700 METHOD AND PACKAGE FOR STORING A PRESSUREZED CONTAINER CONTAINING A DRUG For: percent 100.00 SmithKline Beecham Corporation interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent g The owner. granted on pending second Application Number granted on pending second Application Number 10/071,674 , filed on 02/07/2002 The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I-hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an attorney of record. 2. ☐ Small entity Large entity Owner/applicant is 3. and is to be paid as follows: \$110.00 The terminal disclaimer fee under 37 CFR 1.20(d) is ☐ A check in the amount of the fee is enclosed. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, 07-1392 to Deposit Account Number _ PTO suggested wording for terminal disclaimer was changed (if changed, an explanation should be supplied.) 🕅 unchanged. 2003 Dated: Signature I certify that this document and fee is being deposited on 7103 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA Name and Address of Person Signing Robert J. Smith 22313-1450. Registration No.: 40,820 Telephone: 919-483-9616

PATENT TRADEMARK OFFICE

Ban Younan

Typed or Printed Name of Person Mailing Correspondence